



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 31, 1996

Mr. Robert J. Miklos
Assistant City Attorney
Criminal Law and Police Division
City of Dallas
City Hall
Dallas, Texas 75201

OR96-0835

Dear Mr. Miklos:

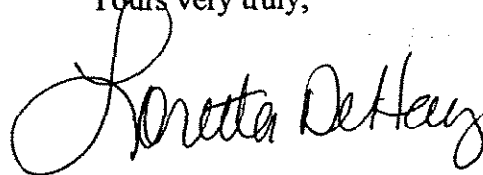
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 38779.

The City of Dallas (the "city") received an open records request for information regarding convicted sex offenders residing in the city. You explain that the city intends to provide the requestor with information responsive to the requests on offenders who were adults at the time of their convictions. However, you express concern that at least one of the offenders was a juvenile at the time of the offense. You argue that there is a conflict between section 5 of article 6252.13c.1, which makes certain information regarding sex offenders public, and provisions of the Family Code regarding juvenile offender records.

This office has recently concluded in Open Records Decision No. 645 (1996) that because of the apparent conflict between section 51.14(d) of the Family Code and section 5 of article 6252.13c.1, the later enacted provision would prevail. Moreover, in Open Records Decision No. 644 (1996) this office concluded that the newly enacted section 58.007 of the Family Code does not provide confidentiality for juvenile offender records maintained by law enforcement agencies such as the Dallas Police Department. Therefore, because section 5 of article 6252.13c.1 was enacted after section 51.14(d), section 5 of article 6252.13c.1 prevails. Open Records Decision No. 645 (1996). Furthermore, section 58.007 of the Family Code does not make law enforcement records of juvenile offenders confidential. Open Records Decision No. 644 (1996). Therefore, the city must release juvenile sex offender information as provided in section 5 of article 6252.13c.1.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Loretta R. DeHay". The signature is fluid and cursive, with the first name "Loretta" being more prominent and the last name "DeHay" following in a similar style.

Loretta R. DeHay
Assistant Attorney General
Open Records Division

LRD/RWP/rho

Ref.: ID# 38779

Enclosures: Submitted documents

cc: Mr. Rob Kiser
5300 Keller Springs Rd. #2028
Dallas, Texas 75248
(w/o enclosures)